THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.19685 of 2000

Dated:26.07.2007

Between
A.Krishna Priya

.....Petitioners

and

1.The Government of Andhra Pradesh
rep., its Secretary, Education Department
Secretariat Building, Hyderabad and
Others.

...Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.19685 of 2000

ORDER:

It appears that for filling up of the regular post of Principal, the Departmental Selection Committee was constituted and sat on 6.9.1996 and after considering the case of the senior most person, it was found that said person is not eligible. Therefore, the selection committee has taken up the next senior most person and ultimately after considering the service register and other particulars including the qualifications, the petitioner was recommended to be appointed as Principal by transfer. In obedience to the same, the Management of the College had sent

proposals as per the recommendations of the Departmental Promotion Committee to the Director of Collegiate Education through letter, dated 18.9.1997 along with requisite check list etc. Further, it appears that Director of Collegiate Education after examining the issue through its proceedings dated 11.12.1997 rejected the case of the petitioner for approval to the post of Principal stating that it is not feasible since the claims of senior persons were not properly examined by the Committee. Aggrieved by the same, the petitioner filed an appeal before the Secretary of Education, Andhra Pradesh, Hyderabad. It seems that simultaneously, the College also filed an appeal before the same authority complaining that in view of the fact that the case of the petitioner was not considered for approval, there was no regular Principal available. It is not known as to why the Management has filed

such an appeal before the Secretary. It could have as well agitated the matter before the concerned authority asking them to constitute a separate Departmental Promotion Committee for appointment of Principal as per law. Instead of doing that, they have filed the appeal. It seems, the appeal filed by the petitioner as well as the Management were taken up for hearing by the Predecessor of the Officer, who rejected the appeal of the Management, but there was no reference as to the appeal filed by the petitioner and the same is not yet disposed of. Even in the counter filed by the respondents, the fact that the appeal filed by the petitioner is not disposed of, is not in dispute.

Under those circumstances, the respondents are directed to dispose of the appeal purported to have been filed by the petitioner on 12.1.1998 being aggrieved by the

order passed by the Director of Collegiate Education-2nd respondent, within a period of eight weeks from the date of receipt of a copy of the order and pass appropriate orders, as per law and communicate the same to the petitioner. Till such time, the status of the petitioner as in-charge Principal shall not be disturbed.

Writ petition is disposed of accordingly. No costs.

_____

26-07-2007

rkk